

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

GREG BRENT,

Plaintiff,

v.

STERLING INFOSYSTEMS, INC. and
WORLDPAC INC.,

Defendants.

Case No. 3:16-cv-01748

Judge Trauger
Magistrate Judge Newbern

To: Honorable Aleta A. Trauger

REPORT AND RECOMMENDATION

Plaintiff Greg Brent moved to dismiss this case without prejudice on March 31, 2017.

(Doc. No. 37.) At a case management conference held on April 6, 2017, Brent stated that he had requested, but not yet received, the case file kept by his former attorney whose practice is now in receivership. The Court stayed consideration of Brent's motion for fourteen days to allow him to obtain and consider those materials and, if appropriate, file an amended motion. (Doc. No. 38.)

Brent has not filed an amended motion, and Defendants Sterling Infosystems and WORLDPAC have responded that they do not oppose dismissing Brent's action without prejudice. (Doc. Nos. 43, 44.) Accordingly, the undersigned RECOMMENDS that the district court DISMISS this action WITHOUT PREJUDICE under Federal Rule of Civil Procedure 41(a)(2).

Any party has fourteen (14) days after being served with this Report and Recommendation in which to file any written objections to it with the District Court. Any party opposing said

objections shall have fourteen (14) days after being served with a copy thereof in which to file any responses to said objections. Fed. R. Civ. P. 72(b)(2). Failure to file specific objections within fourteen (14) days of receipt of this Report and Recommendation can constitute a waiver of further appeal of the matters disposed of therein. *Thomas v. Arn*, 474 U.S. 140, 155 (1985); *Cowherd v. Million*, 380 F.3d 909, 912 (6th Cir. 2004).



alistair e. newbern
ALISTAIR E. NEWBERN
United States Magistrate Judge